

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty MJW-01579-1155

Dkt.

C# M#

KOEBERL et al

TC/A.U.

1652

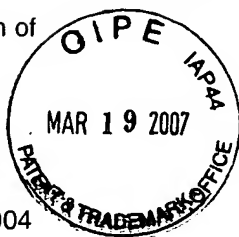
Serial No. 10/761,530

Examiner: Patterson, Jr., C.

Filed: January 21, 2004

Date: March 19, 2007

Title: CONSTRUCTS FOR EXPRESSING LYSOSOMAL POLYPEPTIDES



ZFW
/9C

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.**

Fees are attached as calculated below:

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1203)/\$180.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)
Five Month Extensions \$2160.00 (1255)/\$1080.00 (2255) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/ \$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$ 180.00

Assignment Recording Fee \$40.00 (8021) \$ 0.00

Other: \$ 0.00

TOTAL FEE (CREDIT CARD PAYMENT FORM ATTACHED) \$ 180.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature:

Mary J. Wilson



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No. 3856

KOEBERL et al

Atty. Ref.: 01579-1155

Serial No. 10/761,530

Group: 1652

Filed: January 21, 2004

Examiner: Patterson, Jr., C.

For: CONSTRUCTS FOR EXPRESSING LYSOSOMAL
POLYPEPTIDES

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 19, 2007

Sir:

INFORMATION DISCLOSURE STATEMENT

- ☐ 1. **PTO/SB/08a Pursuant to 37 CFR 1.97(b)**
[within 3 months of filing or prior to 1st Office Action on the merits]
N/C
- ☐ 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
N/C
- ☒ 2.(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
\$180.00
- ☐ 3. **Pursuant to 37 CFR 1.97(d)**
[after Final Office Action or Allowance (requires Rule 97(e)
Statement and Rule 17(p) fee), but before final fee payment]
\$180.00

The following are submitted in the above-identified application in compliance with
37 C.F.R. §§ 1.97 and 1.98:

- ☒ 4. A list of documents on Form PTO/SB/08a together with copies (as
may be required) of each identified document and a translation or a
concise explanation of each non-English language document (such
as a Search Report) is enclosed herewith.

03/20/2007 SZEWDIE1 00000091 10761530

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180.00 0P

This paper is submitted in accordance with:

- ☐ 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☒ 6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier];
and
 - ☐ a) The required Statement made in item 8 below; or
 - ☒ b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- ☐ 7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
 - ☐ a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith;
and
 - ☐ b) The required Statement is stated in item 8 below.
- ☐ 8. Statement under 37 CFR 1.97(e)
 - ☐ a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or

- ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ 9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted,
NIXON & VANDERHYE P.C.

By: Mary J. Wilson
Mary J. Wilson
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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Atty. Docket No.

01579-1155

Applicant

KOEBERL et al

Filing Date

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U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,118,045	9/2000	Reuser et al			
	7,056,712	6/2006	Chen			
	20050123531	6/2005	Chen			

FOREIGN PATENT DOCUMENTS

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	NO
WO 00/34451	6/2000	WIPO				

*Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

**INFORMATION DISCLOSURE
CITATION**

(Use several sheets if necessary)

Atty. Docket No.	Serial No.
01579-1155	10/761,530
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KOEBERL et al	
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January 21, 2004	1652

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

	Sun et al, "Enhanced Efficacy of an AAV Vector Encoding Chimeric, Highly Secreted Acid α -Glucosidase in Glycogen Storage Disease Type II", Molecular Therapy 14(6):822-830 (2006)
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	Bijvoet, A.G.A., et al., "Recombinant human acid α -glucosidase: high level production in mouse milk, biochemical characteristics, correction of enzyme deficiency in GSDII KO mice", Human Molecular Genetics, 7 (11):1815-1824 (1998)
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	de Barys, T., et al., "Enzyme Replacement in Pompe Disease: An Attempt with Purified Human Acid α -Glucosidase", Birth Defects:Original Article Series, 9 (2):184-190 (1973)
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	Hermans, M.M.P., et al., "The conservative substitution Asp-645.fwdarw.Glu in lysosomal α -glucosidase affects transport and phosphorylation of the enzyme in an adult patient with glycogen-storage disease type II", Biochem. J., 289:687-693 (1993)
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*Examiner		Date Considered	
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[illegible]

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